IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schuler et al.	Group No: 3773
Application No: 10/601,127	Examiner: Erezo, Darwin P.
Confirmation No: 5998	Attorney Docket No: 53243-US-CNT[2] (NK.0047.10)
Filed: June 19, 2003	
Title: SYSTEMS AND METHODS FOR AEROSOLIZING PHARMACEUTICAL FORMULATIONS	June 10, 2009 San Francisco, California 94107

Mail Stop AF Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via EFS

- ☒ Notice of Appeal
- ☐ Comments on Statement of Reasons for Allowance
- ☐ Notice of Appeal (form PTO/SB31)
- ☐ Drawings
- ☐ Supplemental Information Disclosure Statement
- ☐ PTO-SB08 Form
- ☐ Citations
- ☐ Terminal Disclaimer
- ☐ Postcard for Return

Extension of Time

☐ Applicant requests an extension of time under 37 C.F.R. 1.136

Extension (Months)	Extension Fee	
	Large Entity	Small Entity
☐ One Month	$130.00	$65.00
☐ Two Months	$490.00	$245.00
☐ Three Months	$1,110.00	$555.00
	Total $ 0.00	

☒ Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.

Fees for Extra Claims

	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	8	52	0	$52.00	$26.00	$0.00
Independent Claims	1	6	0	$220.00	$110.00	$0.00
Multiple Dependent Claims			0	$390.00	$195.00	$0.00
Supplemental Information Disclosure Statement						
					Total	**$0.00**

Fee Payment

Extension Fees	$ 0.00
Fees for Extra Claims	$ 0.00
Notice of Appeal	$ 540.00
Total	**$ 540.00**

☐ Attached is check no. _____ in the sum of $_____.
☒ **Please charge Deposit Account No. 10-0258 in the sum of $540.00.**

Fee Deficiency

☒ If any additional extension and/or fee is required, please charge Deposit Account No. 10-0258.
and/or

☒ If any additional fee for claims is required, please charge Deposit Account No. 10-0258.

CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; facsimile transmitted to the U.S. Patent Office at (571) 273-8300; or electronically submitted via EFS on the date shown below:

By: Melanie Hitchcock Date: June 10, 2009
Melanie Hitchcock

Please direct telephone calls to: Guy V. Tucker at (415) 538-1555

Please continue to send correspondence to:
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650 Delancey Street, #106
San Francisco, California 94107

Respectfully Submitted,

By: _____ Date: June 10, 2009
Guy V. Tucker
Registration No. 45,302